

AN ORDINANCE    **101598**

**CLOSING, VACATING, AND ABANDONING A 1.126 ACRE TRACT OF LAND SOME OR ALL OF WHICH IS WITHIN THE UNIMPROVED VICTORIA STREET BETWEEN LABOR STREET AND THE ACCESS ROAD OF I.H. 37 SOUTH, AS REQUESTED BY THE SAN ANTONIO HOUSING AUTHORITY, THE AFFECTED PARCEL BEING ADJACENT TO A 36.502 ACRE TRACT PREVIOUSLY OCCUPIED BY VICTORIA COURTS HOUSING PROJECT IN DISTRICT 1, WITH A 100% REDUCTION OF THE \$73,925.00 CLOSURE FEE IN ACCORDANCE WITH THE INCENTIVE SCORECARD SYSTEM.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Subject to the reservation of Section 3., the City finds the following right-of-way is surplus to its needs and hereby closes, vacates, and abandons it:

A 1.126 acres parcel, more or less, within the 50.6 feet wide right of way as more particularly described on **Exhibit B**.

**SECTION 2.** A picture of the subject right of way is set forth at **Exhibit A**. The detailed description of the right-of-way subject to this ordinance is set forth on **Exhibit B**. Both Exhibits A and B are incorporated into this ordinance for all purposes as if they were fully set forth.

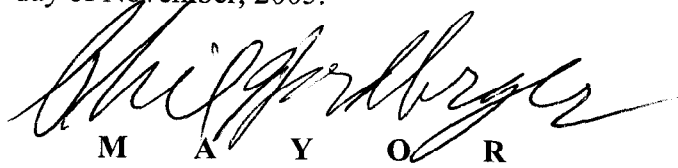
**SECTION 3.** This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, electric transmission lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract.

**SECTION 4.** The City Manager or his designee is authorized and directed to execute and deliver all documents and to do all other things necessary or convenient to reflect this closure, abandonment, and vacation.

**SECTION 5.** No funds are expended by this ordinance. This ordinance has no financial impact.

**SECTION 6.** This ordinance shall become effective November 13, 2005.

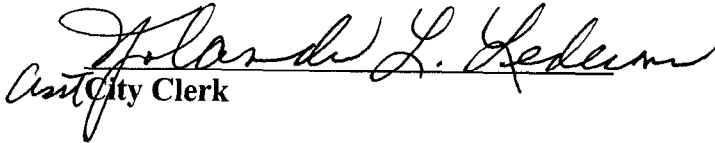
**PASSED AND APPROVED** this 3<sup>rd</sup> day of November, 2005.



M A Y O R

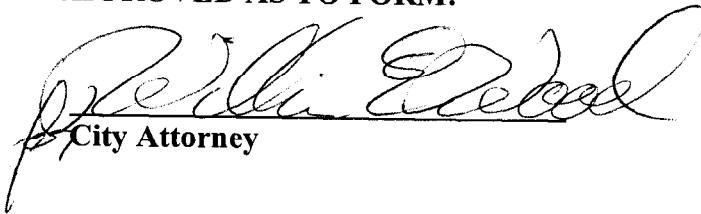
PHIL HARDBERGER

**ATTEST**



City Clerk

**APPROVED AS TO FORM:**



City Attorney

# Agenda Voting Results

**Name:** 3.

**Date:** 11/03/05

**Time:** 09:32:40 AM

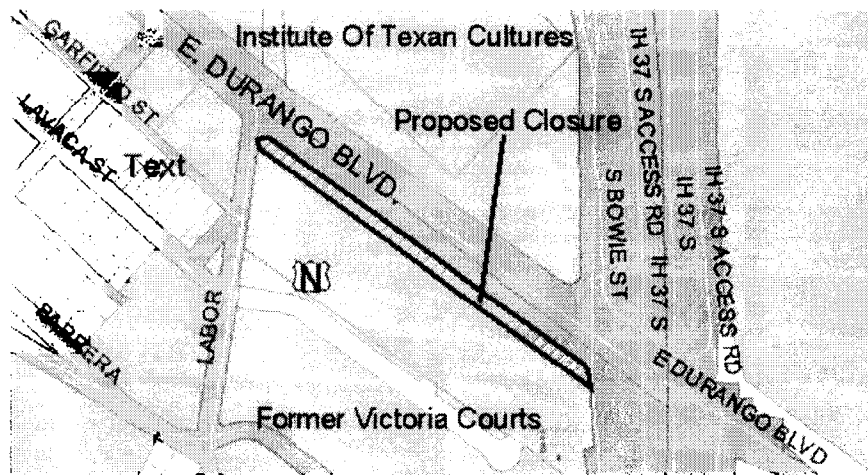
**Vote Type:** Multiple selection

**Description:** Public hearing and consideration of an Ordinance closing, vacating, and abandoning a 1.126 acre tract of land some or all of which is within the unimproved Victoria Street between Labor Street and the access road of I.H. 37 South, as requested by the San Antonio Housing Authority, the affected parcel being adjacent to a 36.502 acre tract previously occupied by Victoria Courts Housing Project in District 1, with a 100% reduction of the \$73,925.00 closure fee in accordance with the Incentive Scorecard System. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

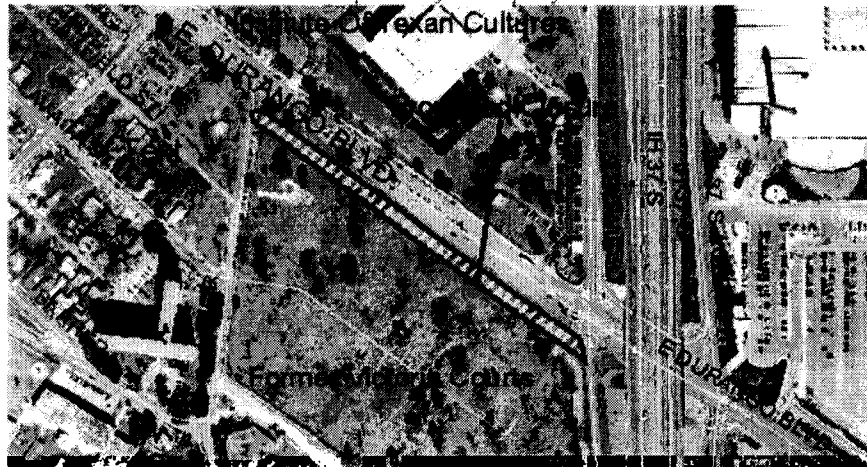
Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

## Exhibit A

---

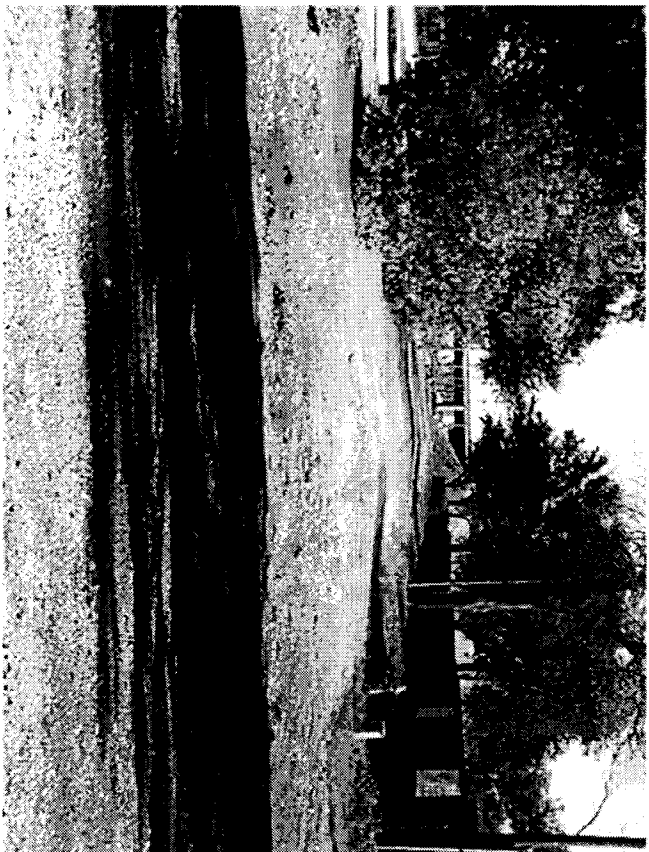


Map of Subject Property



Aerial View of Subject Property

## Exhibit "A"



Easterly View of Subject Property

## Exhibit "A"

## Exhibit B

### **METES and BOUNDS for a Landscape Area at Victoria Courts**

Being 1.126 acres of land for a landscape area within the 50.6 feet wide original Victoria Street right-of-way north and adjacent to a 36.502 acre tract previously occupied by Victoria Courts Housing Project in San Antonio, Bexar County, Texas; said 1.126 acres being more particularly described as follows:

BEGINNING at the westerly end of a cut-off at the most southerly corner of the intersection of said Victoria Street and Labor Street for a corner of this tract;

THENCE, N 08°16'27" E, 51.97 feet along the extension of the east right-of-way line of Labor Street and across Victoria Street to a point for a corner;

THENCE, N 85°44'35" E, 34.36 feet to a point for a corner 8.00 feet south from the existing curb on the south side of Durango Street.

THENCE, along a line parallel and 8.00 feet south from the existing curb on the south side of Durango Street as follows:

S 54°29'47" 145.84 feet to a point of curvature;

49.58 feet along a curve to the right having a radius of 1000.00 feet and a central angle of 02°50'27" to a point of tangency;

S 51°39'20" E, 208.56 feet to a point of curvature;

44.65 feet along a curve to the left having a radius of 1000.00 feet and a central angle of 02°33'29" to a point of tangency;

S 54°12'49" E, 545.97 feet to a point of curvature;

THENCE, 86.59 feet leaving Durango Street and along a curve to the right having a radius of 100.00 feet and a central angle of 49°36'39" to a point of tangency at the west right-of-way line of Interstate Highway (I.H.) 37;

THENCE, S 04°36'10" E, 8.77 feet along said west right-of-way line of I.H. 37 to a point for a corner;

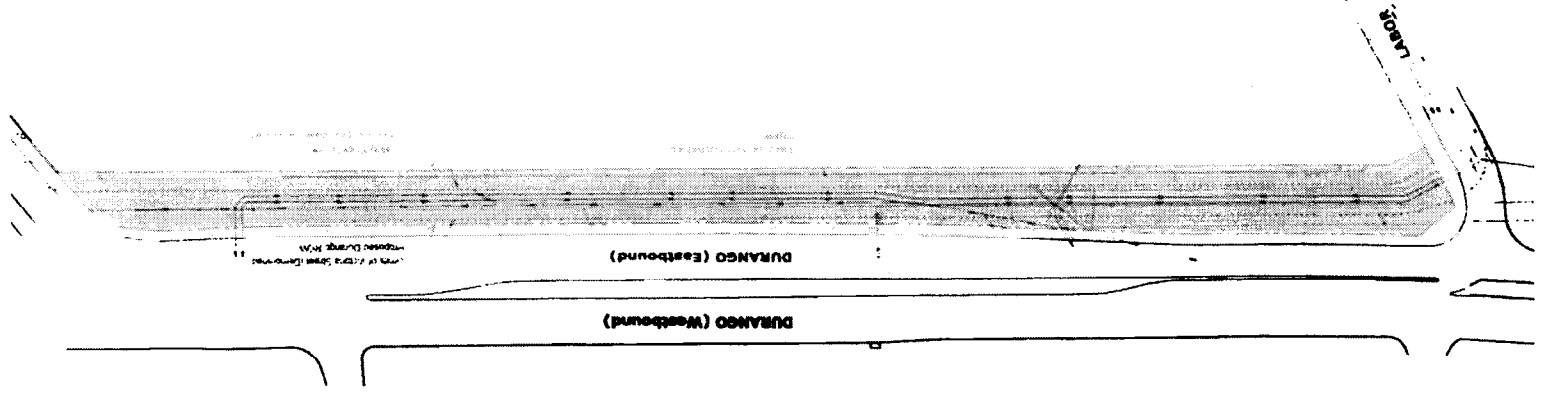
THENCE, N 54°16'14" W, 1050.27 feet leaving I.H. 37 along the north line of the above mentioned tract previously occupied by Victoria Courts and with the south right-of-way line of Victoria Street to a point for a corner;

THENCE, N 81°43'33" W, 51.84 feet to the POINT OF BEGINNING and containing 1.126 acres of land, more or less.

"Not a Boundary Survey"



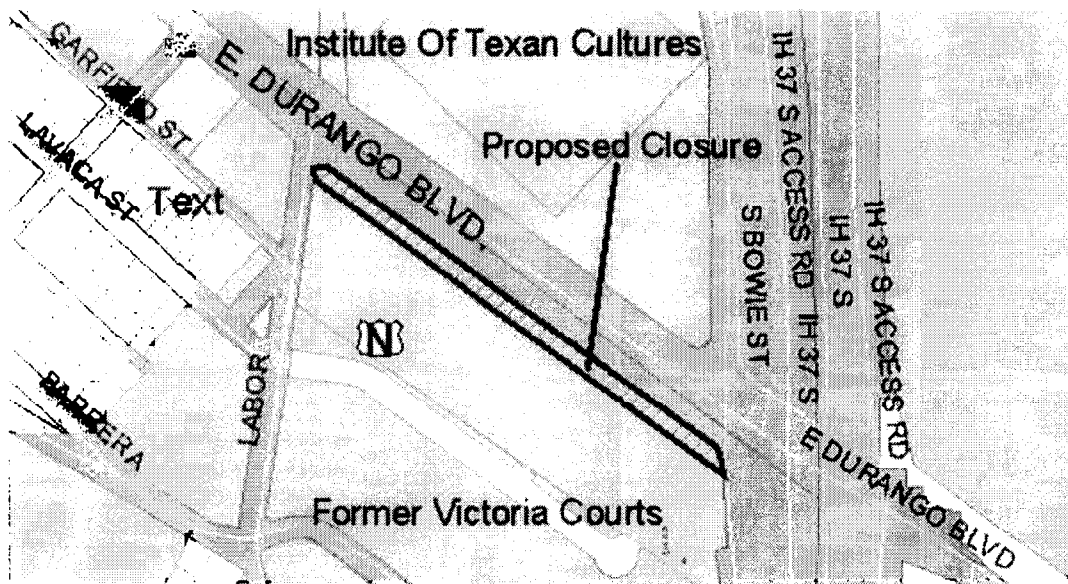
  
Adalberto Camarillo  
Registered Professional Land Surveyor  
No.: 3929



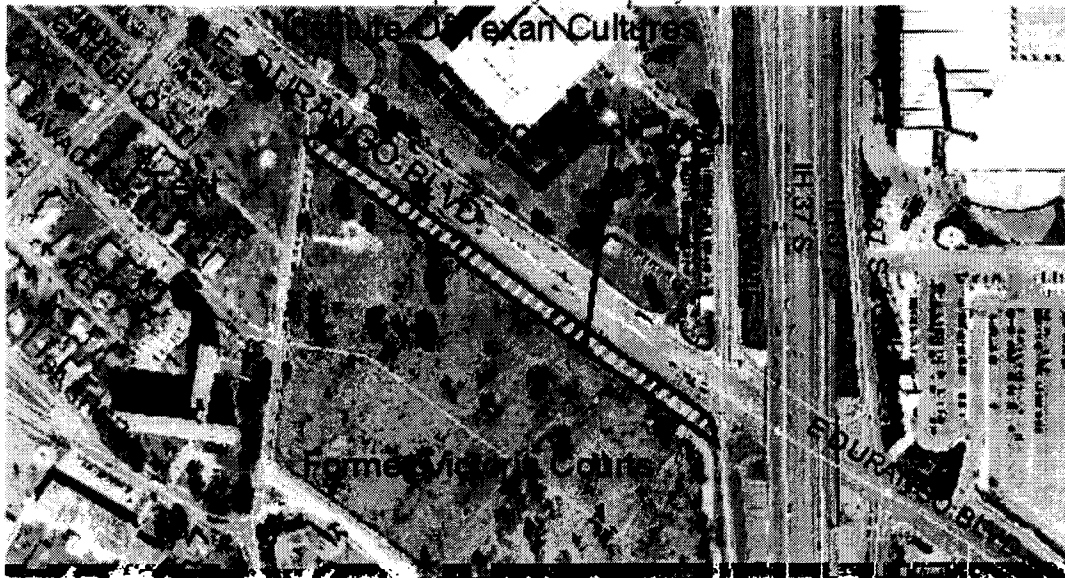
LEGEND  
 1. Lane  
 2. Lane  
 3. Lane  
 4. Lane  
 5. Lane  
 6. Lane  
 7. Lane  
 8. Lane  
 9. Lane  
 10. Lane  
 11. Lane  
 12. Lane  
 13. Lane  
 14. Lane  
 15. Lane  
 16. Lane  
 17. Lane  
 18. Lane  
 19. Lane  
 20. Lane  
 21. Lane  
 22. Lane  
 23. Lane  
 24. Lane  
 25. Lane  
 26. Lane  
 27. Lane  
 28. Lane  
 29. Lane  
 30. Lane  
 31. Lane  
 32. Lane  
 33. Lane  
 34. Lane  
 35. Lane  
 36. Lane  
 37. Lane  
 38. Lane  
 39. Lane  
 40. Lane  
 41. Lane  
 42. Lane  
 43. Lane  
 44. Lane  
 45. Lane  
 46. Lane  
 47. Lane  
 48. Lane  
 49. Lane  
 50. Lane  
 51. Lane  
 52. Lane  
 53. Lane  
 54. Lane  
 55. Lane  
 56. Lane  
 57. Lane  
 58. Lane  
 59. Lane  
 60. Lane  
 61. Lane  
 62. Lane  
 63. Lane  
 64. Lane  
 65. Lane  
 66. Lane  
 67. Lane  
 68. Lane  
 69. Lane  
 70. Lane  
 71. Lane  
 72. Lane  
 73. Lane  
 74. Lane  
 75. Lane  
 76. Lane  
 77. Lane  
 78. Lane  
 79. Lane  
 80. Lane  
 81. Lane  
 82. Lane  
 83. Lane  
 84. Lane  
 85. Lane  
 86. Lane  
 87. Lane  
 88. Lane  
 89. Lane  
 90. Lane  
 91. Lane  
 92. Lane  
 93. Lane  
 94. Lane  
 95. Lane  
 96. Lane  
 97. Lane  
 98. Lane  
 99. Lane  
 100. Lane

This drawing is a plan view of the proposed project. It shows the layout of the project area, including the proposed road, the existing road, and the surrounding area. The drawing is a plan view, meaning it shows the project from above. It is not a cross-section or a side view. The drawing is a plan view, meaning it shows the project from above. It is not a cross-section or a side view. The drawing is a plan view, meaning it shows the project from above. It is not a cross-section or a side view.

PROPOSED VICTORIA STREET R.O.W. TRANSFER  
 VICTORIA COMMONS  
 SAHA / Clinton Residential Properties  
 Scale: 1" = 30'-0"  
 EAST ORIGIN: 100

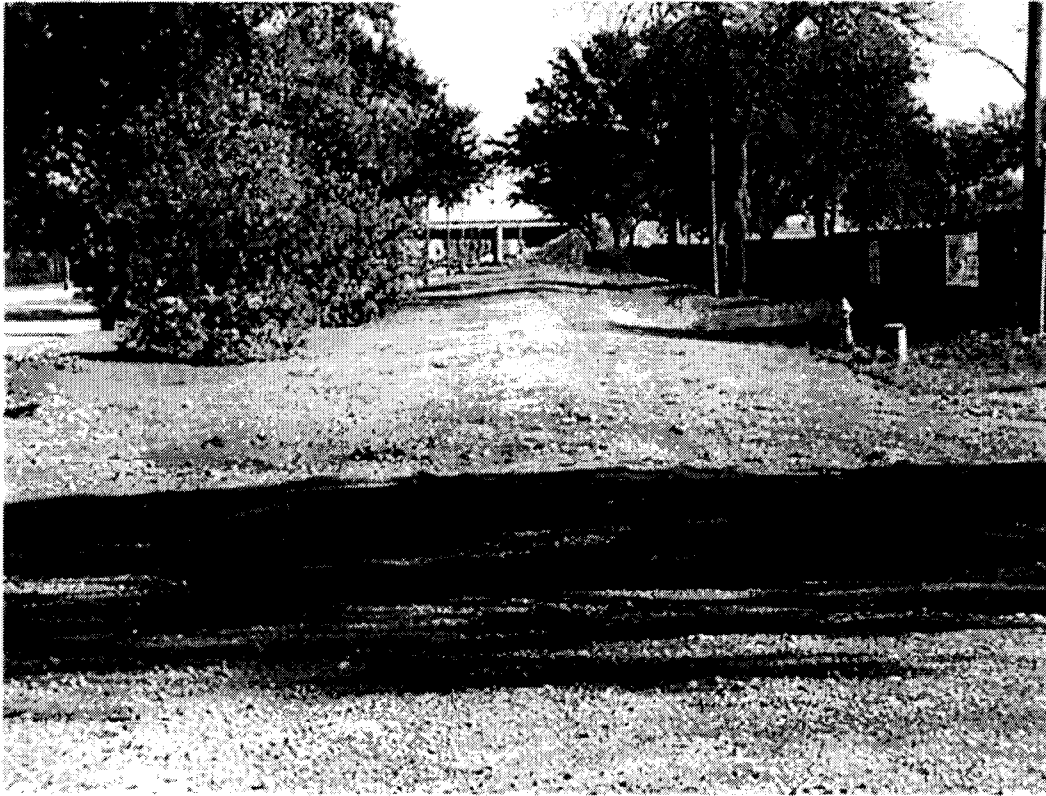


Map of Subject Property



Aerial View of Subject Property

## Exhibit "A"



Easterly View of Subject Property

**Exhibit "A"**

Page 2 of 4

**METES and BOUNDS**  
**for a**  
**Landscape Area at Victoria Courts**

Being 1.126 acres of land for a landscape area within the 50.6 feet wide original Victoria Street right-of-way north and adjacent to a 36.502 acre tract previously occupied by Victoria Courts Housing Project in San Antonio, Bexar County, Texas; said 1.126 acres being more particularly described as follows:

BEGINNING at the westerly end of a cut-off at the most southerly corner of the intersection of said Victoria Street and Labor Street for a corner of this tract;

THENCE, N 08°16'27" E, 51.97 feet along the extension of the east right-of-way line of Labor Street and across Victoria Street to a point for a corner;

THENCE, N 85°44'35" E, 34.36 feet to a point for a corner 8.00 feet south from the existing curb on the south side of Durango Street.

THENCE, along a line parallel and 8.00 feet south from the existing curb on the south side of Durango Street as follows:

S 54°29'47" 145.84 feet to a point of curvature;

49.58 feet along a curve to the right having a radius of 1000.00 feet and a central angle of 02°50'27" to a point of tangency;

S 51°39'20" E, 208.56 feet to a point of curvature;

44.65 feet along a curve to the left having a radius of 1000.00 feet and a central angle of 02°33'29" to a point of tangency;

S 54°12'49" E, 545.97 feet to a point of curvature;

THENCE, 86.59 feet leaving Durango Street and along a curve to the right having a radius of 100.00 feet and a central angle of 49°36'39" to a point of tangency at the west right-of-way line of Interstate Highway (I.H.) 37;

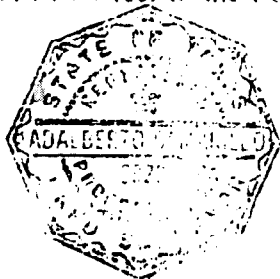
THENCE, S 04°36'10" E, 8.77 feet along said west right-of-way line of I.H. 37 to a point for a corner;

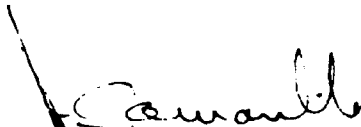
THENCE, N 54°16'14" W, 1050.27 feet leaving I.H. 37 along the north line of the above mentioned tract previously occupied by Victoria Courts and with the south right-of-way line of Victoria Street to a point for a corner;

THENCE, N 81°43'33" W, 31.84 feet to the POINT OF BEGINNING and containing 1.126 acres of land, more or less.

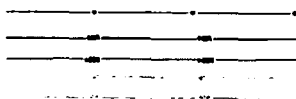
"Not a Boundary Survey"

**Exhibit "A"**  
**Page 3 of 4**



  
Adalberto Camarillo  
Registered Professional Land Surveyor  
No.: 3929

Scale: 1 = 30-0

[illegible]

# Canvassing Checklist

SPNo 1186

**Request:** Petitioner is requesting to close, vacate and abandon unimproved Victoria Street and the adjacent Public Right of Way eight (8) feet behind the southern Right of Way line of Durango Blvd. located between Labor Street and the access road of I.H. 37 South adjacent to NCB 709 in City Council District No. 1, as shown on Exhibit "A". This request is in conjunction with the redevelopment of the old Victoria Courts housing project and for the third phase of Victoria Commons. If approved, the petitioner will enhance the visual impact of the proposed residential development along Durango Street by installing and maintaining landscape improvements as well as moving the proposed development closer to Durango Street to create the desired "Gateway to Downtown" lined with higher density development and compliment the planned revitalization of HemisFair Park as provided in the HemisFair Park Master Plan.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	12/3/2004	1/28/2005		<input checked="" type="checkbox"/>	
PublicWorks	<input checked="" type="checkbox"/>	12/3/2004	9/12/2005	<input checked="" type="checkbox"/>		
Development Services	<input checked="" type="checkbox"/>	12/3/2004	3/8/2005		<input checked="" type="checkbox"/>	
Police Department						
Fire Department						
Parks and Recreation						
Neighborhood Action (NAD)						
City Public Service	<input checked="" type="checkbox"/>	12/3/2004	1/28/2005	<input checked="" type="checkbox"/>		
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	12/3/2004	12/14/2004		<input checked="" type="checkbox"/>	
TXDOT						
S.A. River Authority (SARA)						
VIA Metropolitan						
Environmental Services	<input type="checkbox"/>					
Other Agency						
Neighborhood Association						

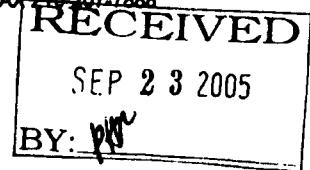
**Canvassing Comments**

This project is not within a neighborhood association.



# CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT  
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966  
TEL. 210-207-4032 FAX 210-207-7888



September 16, 2005

San Antonio Housing Authority  
Attn: Brad McMurray, Asset Manager  
818 S. Flores Street  
San Antonio, Texas 78204

Re: S. P. No. 1186-Request to close, vacate and abandon unimproved Victoria Street and the adjacent Public Right of Way located between Labor Street and the access road of I.H. 37 South adjacent to NCB 709

Dear Mr. McMurray:

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions:

**PLANNING DEPARTMENT:** The petitioner must provide the necessary site plan information that delineates all landscaping improvements and all structure locations along Durango Boulevard to the Planning Department for approval. No permits will be granted until the Planning Department review is complete and approved.

**DEVELOPMENT SERVICES DEPARTMENT:** The site must be assembled with the petitioner's property. Adequate spacing must be retained to meet the future widening of Durango Boulevard, which is designated as an arterial type B.

**SAN ANTONIO WATER SYSTEM:** Petitioner must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with the San Antonio Water System at the sole expense of the petitioner.

**CITY PUBLIC SERVICE:** Petitioner must agree to reserve a perpetual easement for all existing electrical, communications and/or gas facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with City Public Service at the sole expense of the petitioner.

**DEPARTMENT OF ASSET MANAGEMENT:**

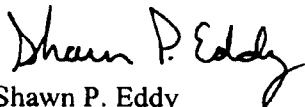
The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance. Petitioner asserts that all evidence of ownership of all proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct. Petitioner acknowledges that this property will be accepted in its "as is" condition. Petitioner agrees to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the Public Right of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioner agrees to allow perpetual access to any such utilities or may seek the relocation of a specific utility with express permission and coordination of the respective owner of the utility at the sole expense of the petitioners.

The fee established for this Public Right of Way Closure is \$73,925.00; which has been waived in accordance with the 100% reduction provided under the Incentive Scorecard System.

This Letter of Agreement is being offered by the City of San Antonio only to the petitioner named below and will expire (30) days after date of issuance unless a specific extension is requested by the petitioner and granted by the City.

If you concur with the above-mentioned conditions please countersign this letter in the space provided below and return to the undersigned. Upon receipt of this executed Letter of Agreement, we will continue processing your request.

Sincerely,

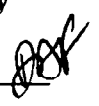


Shawn P. Eddy  
Special Projects Manager  
Property Disposition Division

SPE/jq

**AGREED AS TO TERMS AND CONDITIONS:**

**San Antonio Housing Authority**

By   
Henry A. Alvarez III

Print Name

President & CEO

Title  
September 29, 2005

Date